

United States Court of Appeals
For the Eighth Circuit

No. 13-3046

United States of America

Plaintiff - Appellee

v.

Scott Allen Johnson

Defendant - Appellant

Appeal from United States District Court
for the Western District of Missouri - Springfield

Submitted: December 26, 2013

Filed: January 7, 2014

[Unpublished]

Before WOLLMAN, BYE, and KELLY, Circuit Judges.

PER CURIAM.

Scott Johnson appeals the sentence imposed by the district court¹ after he pleaded guilty to a drug offense. On appeal, Johnson's counsel has moved to

¹The Honorable Greg Kays, United States District Judge for the Western District of Missouri.

withdraw and has filed a brief under Anders v. California, 386 U.S. 738 (1967), arguing that the sentence is substantively unreasonable.

Upon careful review, we conclude that Johnson's sentence is not substantively unreasonable. See United States v. Feemster, 572 F.3d 455, 461 (8th Cir. 2009) (en banc) (appellate review of sentencing decision); United States v. Zauner, 688 F.3d 426, 429-30 (8th Cir. 2012) (when district court varies downward from presumptively reasonable Guidelines sentence, it is nearly inconceivable that court abused its discretion in not varying downward even further). Further, having independently reviewed the record in accordance with Penson v. Ohio, 488 U.S. 75, 80 (1988), we find no nonfrivolous issues. Therefore, we grant counsel's motion to withdraw. The judgment is affirmed.
